G R S App F IX 4]

1943-44 ml File No 100-43

Previous References

(ml)

Serial Nos 576

ml 70-38-38
ml 70-38-(66,67,96+104)
ml 73-37-(149)
Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for oct'43

SUBJECT

octroi Byelaws framed by the
Nagada Town Municipality

b) To the DG Bihar &
U Orissa
No 293-II & 16/9/43
- Functions

WDC.-
14/12

Regularisation of the levy of Octroi on certain articles at Nagadi Town Muplg—

GRS III—3]

2781

ROUTINE NOTES

[To be used only for notes, requisitions, etc , not intended for permanent record]

Letter no 2077/38 39 dated 29-10-42 from the D C Bangalore stating that the connected records relating to the regularisation of the levy of Octroi on certain articles at Nagadi Town Muplg have been submitted to Govt-

Subject

(1) The connected file which was worked up and submitted on 31/5/40 was received from the Sus Shelf to-day. It is not known how this file which was submitted with a draft G O for orders was placed in the Sus Shelf and time reminders were issued calling for the record The file in question appear to have been put up for reference after 31/5/40 with some other papers and passed on to Sus Shelf by mistake

King 7/11/42

GS 7/11/42

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

WD 05639—36 000—GPB—20 3 40

Octroi Rules and Bye-laws of Nagadi Town Municipality

2786

2)

2) What are the articles on which octroi is now being levied? In regard to jaggery, the duty should be levied on a unit-by-weight-i.e. per md instead by "Values" This requires rectification what are all the articles covered in the proposed duty and also? Is there a standard weight in the Municipality? Also octroi bylaws of two or three Municipalities.

for
31/1/43

3) Submitted with a draft-letter Cattaginfor to the D C Bangalore West-
[Copies of Octroi bye-laws of Tumkur and Chikballapur Town Municipalities are put-up-flags C & D]

Kur 22/1/43 CS 25/1

4) 26/1/43

TYPING SECTION
26 JAN 1943
GEN & PEV SECTT

The D C Bangalore West-
No L 7327 d 28-1-43
calls for certain information
Letter No 2077/38-39 d 23-4-43 from the D C. Bangalore
West- furnishing further information in the matter

7. 3A
Kur 31/1/43
4/2

Octroi Rules and bye-laws of the Town Municipality

Continuation Sheet ML File No / Current No of 42 Page

Flag P

Flag Q

5) These papers relate to the Rules framed under Section 46(h) and 62(a) of the Mysore Town Municipalities Act 1933, and the Bye-laws framed under Section 68 of the Said Act, by the Nagada Town M.C. in connection with the levy of duty on certain articles in the Said Municipality

6) The required formalities have been observed The Rules framed under Section 46(h) are found to be on the lines of those in force in the other municipalities and they are mostly based on those of the Mysore City Municipality

7) The exemptions allowed are detailed in Rule 2 of the rules and they may perhaps be approved

The Schedule appended to the Rules contains 15 items for purposes of octroi duty and the rates fixed are within the maximum fixed prescribed in schedule II of the Mysore Town Municipalities Act, 1933 The rate of duty on Jaggary which was fixed in terms of tolas has been revised in terms of maunds

The articles proposed to be taxed afresh are indicated on page flagged Q and those on which the tax is already being levied on page B

The rate of duty on Tobacco and Tobacco dust is proposed to be fixed ~~on terms of~~ at 0-8-0 per maund Instructions have been issued recently for fixing the rate of octroi duty at a uniform rate of Re 1/- per maund in all the municipalities in the State In view of this, the rate on this item in the

Hagadur Town Municipality also The rates of duty on items nos 10 (Beeds) 12 (Skin of cows and buffalo) 13 (Skin of Sheep) 14 (Skin of Goat) 15 (Cigarettes) are not Specified in Schedule II of the Act and therefore they will have to be considered under class VIII of the Said Schedule

8) Sanction is also Solicited to the octroi bye-laws framed under Section 48 of the Mysore Town Municipalities Act.

9) Bye-law no 27 empowers the President of the Municipal Council to fine persons evading the production of goods and payment of octroi duty As the president would be a prosecutor in all offences relating to the Municipality, it may not be desirable to invest the president with the powers of a Magistrate The Second part of the Same bye-law provides for Rewarding the Smugglers and this may perhaps be retained as it is intended to encourage detecting of Smuggling Cases

10) The Schedule appended to the Bye-laws may perhaps be deleted as it is already provided for in the Rules and would therefore be a mere repetition of what is already

contained in the Rules

11) The Rules and the bye-laws may perhaps be Sanctioned after Consulting the Law Section

Subts with a draft G.O.

Kan 2/8/43 JM 9/8

12) for favour of opinion as to the suitability of the bye laws proposed by the Mag. Tumkur

Asst Secy (Law) Law 19/8/43

JNNV 23/8

13) A penal clause has been inserted by Byelaw 26 of the draft Byelaws The insertion of an additional penal clause by Byelaw No 27 of the draft Byelaws is not ultra, therefore not sanction but also ultra vires the provisions of Municipal law on the point This Byelaw No 27 will have to be deleted In other respects, the draft is in order and may be approved

JNNV 1/9

BR 24/8 Law Secy

Asst Secy Law
L S G with Compts

1-9-43 JNNV 1/9

14) May be approved

Law Secy 4/9/43

15) Amend as suggested by Law Section & Submit

4-9-43 Law

Here are merely a copy of the previous law in the principal Acts and it is unnecessary to append it to the file

Kan 2/8/43

hw BR 23/8

L.O. No 27 23/8/43

SECY LAW DEPT 23 AUG 43 GOVT OF MYSORE

SECY LAW DEPT 24 AUG 43 GOVT OF MYSORE

Octroi Rules and Bye-laws of the Magadi Town Municipality

Continuation Sheet | ML File No / Current No | of 43 | Page

16) The bye-laws no 27 has been deleted as suggested by the Law Section

The bye-laws as revised now may perhaps be Sanctioned

Yours
8/9/43

May be approved
Lawsey for
8/9/43

May be approved
8/9/43

JJ 10/9

8-9-43
for M/s laws
10 9 43
Lawsey
M/s laws

SECY TO GOVT OF MYSORE

OFFICE OF THE MINISTER FOR P
9 SEP 1943
No... 1619

11 SEP 1943
G ... CTT

To

The D C Bangalore Dist-
The Commissioner for Local-
No L3293-4 d 16-9-43

Sanctions the bye-laws framed by the Magadi Town Municipality

B

2077/3839 on file

Office of the Deputy Commissioner,
Bangalore District,
Dated, Bangalore, the 2nd April 43.

From

Abdul Aziz Khan Sahib, B.A.,
Deputy Commissioner, Bangalore District,
Bangalore.

To

Chandrasekhara Aiyar Sahib, B.A., B.L.,
Secretary to Govt of Mysore, Law Department,
Bangalore.

Sir,

Subject:- Sanction to the Octroi Bye-laws framed by Magadi Municipality

With reference to your letter No L 7327-m1 86-39 dated 28-1-1943 on the above subject, I have the honour to state that the Municipal Council have resolved to fix the octroi duty at one anna per maund instead of 50 'Atchus' of jaggery as originally proposed by them A copy of the resolution passed at their meeting held on 7-4-1943 is enclosed in the file for favour of reference

2) A statement of articles on which octroi is now being levied and another statement showing articles on which octroi is proposed to be levied are herein enclosed as desired It is seen therefrom that the marginally noted articles are proposed to be subjected to the levy of octroi In these circumstances sanction of Government may kindly be obtained to the above bye-laws framed by the Municipality There is no separate bonded octroi ware house in this Municipality

Jaggery, Tobacco sticks, Beedi
Skins of Cow, Buffalow, Sheep and Goats

Connected records accompany

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Bangalore District

ndm

Octroi Bye Laws
Moradabad Town Municipality

1 The octroi limits for the purpose of collecting octroi shall be the municipal limits.

2 No article liable to octroi shall be brought within these limits except by one of the high roads described in the Schedule hereto annexed

3 All persons bringing to or receiving from beyond the octroi limits of the Town any such article or package containing such articles shall stop such articles or package at the octroi Chowki to enable the octroi officer or subordinate to inspect the same Every cart, cycle-Pons, Lorry etc which are meant to bring into the municipal limits octroi leviable goods shall be caused to be inspected by the octroi staff or other municipal staff in presence

4 Every person bringing dutiable goods into the town shall report the fact to the officer in charge of octroi Chowki etc

5 A label showing octroi leviable goods shall be open to inspection of any person at the octroi Chowki

6 Where goods are brought into octroi

Charges they may be unloaded, weighed or counted by the Officer in Charge of the Kotu. Upon the ascertainment of the amount of the octroi payable on the goods the importer shall either pay the amount due or receive a permit for the removal of the goods or shall deposit the same in the octroi Kotu. When the duty is paid as above a permit shall be granted by the officer in Charge of the Octroi Kotu for the removal of the goods showing the quantity or weight of the goods in respect thereof and the date of payment. In case the importer wishes to re-export the goods at once, he shall do so only after obtaining an export pass, and subjecting the goods to the escort of an octroi subordinate

Refer a view to ascertainment of the value of the goods, When the rate is assessed on value, the importer may be called upon to produce the invoice of the goods, for the inspection of the Officer in Charge of the octroi Kotu. Should he fail or refuse to produce the invoice, the value of the goods shall be assessed by the Officer in Charge of the Octroi Kotu at current rate and octroi levied accordingly

8 The municipal Council shall provide a bonded warehouse for goods deposited according to Regulation No 6

9 The Bonded Warehouse shall be kept open for the transaction of business from 7 to 10 A.M. and 1 to 5 P.M. daily except on holidays, as authorised by the President. Arrangements shall however be made by the officer in charge of the octroi kotu for delivering to the perishable articles, on such days

10. Any importer depositing the goods in the octroi kotu shall unless the officer in charge of the octroi kotu has previously by weighing, counting or appraising ascertained the amount of octroi payable thereon give a declaration in the form appended of the description, weight quantity, if necessary, of the value of such goods

11 A receipt in the form appended shall be given by the officer in charge of the octroi kotu for all goods deposited in the octroi kotu and a register of all such goods shall be maintained. It is the duty of the depositor to obtain a receipt for articles deposited by him and the octroi department will not be responsible for any goods left out in the premises and not covered by a receipt

12 The receipt given by the octroi department for depositing the goods should be returned before taking delivery of the articles to which it refers

13 If the depositor does not himself take

delivery of the articles deposited in the Action Note, he must endorse on the receipt Letter a request for the delivery to the person to whom he wishes it to be made and if the receipt is not produced and the delivery of the goods may at the discretion of the Officer in Charge of the Action Office, be withheld until the Person entitled in his opinion to receive the same has given an undertaking to the Satisfaction of the Officer in Charge of the Action Office

46 Any Person who has deposited goods in the Action Note may break bulk on Change the packing thereof and apply Action to the Officer in Charge of the Action Note or may at any duly file entry thereon import such goods into the town Covered by a permit or may export such goods free Covered by an export Pass subject to the escort of an Action Subordinate, Provided that new Package Covered by such Pass shall if possible, and before they are taken from the Action Note be Stamped by the Officer in Charge so as to show that they are under bond

47 The export Pass shall be in duplicate the original retained by the Officer in Charge of the Action Note and the duplicate delivered. For every export Pass granted under this rule a fee of one anna shall be Charged

15 No goods shall be allowed to leave the Octroi Kotu until the storage fee have been paid thereon under the following rule

1 Goods shall be allowed to remain 24 hours free of Charge

2 After that period Single rate as in the following Schedule shall be Charged

(a) Bags Other than Piecegoods 6ps Per bag per day

(b) Piecegoods (Bale) One anna - Per Bale per day

(c) Kerosene oil 3ps per tin per day

(d) Cocoanuts 6 x ps per 100 per day

(e) Dry Cocoanuts three ps per maund per day

(3) Double these rate shall be Charged after seven days Provided that the Municipal Council may in their discretion allow a reduction in or Exemption from such penal rate

16 All goods remaining uncleared or unclaimed for a period of not longer than 3 months, shall be sold in Public Auction Provided that

before selling such goods notice of the sale shall be posted for seven days at the bonded warehouse and at the municipal office - and that the goods shall not be sold earlier when the storage fees are likely to exceed their value -

17 The Council shall not be responsible for any damage that may be caused to goods deposited in the Octroi Post while such goods are being passed into or out of the Octroi Post or while they remain therein unless such damage is proved to have been caused by the wilful neglect of the Municipal or other person charged with the safe custody of the goods

18 When any goods are sold under any clause no 16 the sale proceeds shall be credited to the municipal funds in payment of duty and storage fees due in respect thereof : Provided that if the amount realised by sale exceeds the amount so due the balance shall be kept in deposit for six months and any claims for such balance received during such time shall be duly considered by the President. At the expiry of six months, or after all claims received during that period have been duly disposed of the balance if any shall be credited to Municipal funds

No Claim shall be admitted after the said period of Six months except by Special Permission of the Council

Refunds —

19 No refund shall be granted in respect of goods other than those exported from the Royal Canal Dock in a period of three months

20 No refund shall be granted of any sum less than one rupee

20 Any person claiming refund under the above rule, shall produce the goods to be exported at the octroi Note together with the original receipt for octroi duty said thereon, and an application for refund prepared in duplicate in such form showing such particulars as the President may from time to time prescribe

21 The officer in charge of the octroi Note on being satisfied as to the identity of the goods produced with those for which receipt has been granted & the validity of the Claim, shall endorse the application keeping one copy in the office, shall deliver the duplicate copy to the applicant. The applicant shall forward the same to the President for orders

22 The things or produce grown within the municipal limits shall be exempt from the payment of octroi

23 No octroi shall be levied on Pure hand spun khadi cloth

24 It shall be lawful for the President Vice President or the Municipal Servant, Subject to the directions of the President or Vice president to enter at all reasonable times into any building or shop and to examine the articles food within and to know whether the duty payable paid or not and the owner of the said building, or shop shall be bound to allow such entry and examination

25 Importers of dutiable articles, shall if called upon by a requisition in writing signed by the President, Vice president, or Chief Officer for not more than one year after import account for the articles received by them by producing either a permit obtained in token of payment of octroi duty or an export pass in proof of having exported the whole or part of the articles so received or otherwise

26 Any breach of bye law no 25 will render the importer liable to punishment with a fine not exceeding Rs 50/-

Any person exporting or importing goods on which octroi is leviable who infringes any of the provisions Nos 2, 3 & 6 and 8 shall on conviction before a magistrate be liable to a fine not exceeding one hundred rupees or ten times the amount of octroi leviable on such goods which ever is greater

2) It shall be lawful for the President to levy a fine of three times the duty from any person who has been found ~~not~~ evading the production of the goods and payment of octroi - and,-

to grant a sum equal to the amount of octroi in the form of reward to the person responsible for such detection

N Narayanamurthy

President
Municipal Council
Nagar

Schedule 1
Names of Hepla roads

1 Kengal Nagar road
2 Gudemaranahalli Nagar road
3 Hosapet Nagar road
4 Bangalore Nagar road

Schedule 2
To the Officer in Charge of the Bonded Warehouse of Nagar Town Mohanapalya

Please take the following Goods into the bonded warehouse and deposit the same therein

1 Name of the depositor
2 Name and description of Goods deposited
3 Special identification marks if any
4 Certificate Number. See
5 Quantity
6 Value
7 Remarks (from where and by what purpose imported)

I do hereby declare that I have stated in myself that the entries as made by me above are correct and I am fully aware of the provisions of laws relating to the deposit

Signature of the depositor
Address
Date

Witness
Signature
Address

Schedule 3
Nagar Town Municipal
Office
Received for deposit the under
mentioned goods bearing
1) Receipt No
2) Number
3) Date
4) Goods deposit Note No
5) Name of article.
6) Number of article or weight
7) Description
8) Remarks

Signature of Office Incharge

H Narayanan
Assistant
Municipal Council
Nagar.

Table of Octroi
Madras Town municipality

1	Cocoanuts	per Cocoanut	0-0-1
2	Dry Cocoanuts	per maund	0-8-0
3	Betel leaves	per bundle (100 leaves)	0-0-1
4	Sugar	per maund	0-2-0
5	Jaggery	per Attam	0-1-0
6	Sheep and goats	per head	0-2-0
7	Kerosene oil	per tin	0-1-0
8	Tobacco and Tobacco dust	per maund	0-8-0
9	Tobacco Sticks	per maund	0-2-0
10	Betel	per 1000	0-1-0
11	Piecegoods	per rupee advalorem	0-0-3
12	Skin of Cow and buffalo	per Skin	0-1-0
13	Skin of Sheep	per Skin	0-0-6
14	Skin of Goat	per Skin	0-0-6
15	Cigarettes	per rupee advalorem	0-0-6

M Narayanaswamy

Fresh deed,
M.L. Council
Madras

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 28 / 1 / 43

Signed by Mr GPRao

List of enclosures

Copied by

Examined by

Section Rev

File No ~~112-11-96-39~~

Serial No

No L 7327

Records

To

The D C Bangalore Dist:

Sir

With refce to the correspondence ending with your letter no 2077/38-39 dated 29-10-42 requesting Sanction ~~to~~ to the bye-laws framed by the Mangalore Town Municipal Council to ~~regulate~~ the regularise levy of octroi duty on certain articles, I am directed to request you to intimate the said Mcl to fix the duty on Jaggery ~~ad~~ valorem in terms of weight i.e per md instead of by "Atchus" as proposed accd to the Statute

WD 04161—GPB—60 000—24 10 41

in the ~~bye-laws~~ Schedule appended
to the ~~proposed~~ bye-laws in question

Information may kindly be furnished
as to the articles on which Octroi is now being
levied by the Nagadc Town Municipality and the articles
on which duty is proposed to be levied afresh and
if there is a bonded warehouse in the Municipality

The records accompany for reference and
retransmission

I have &c

for Secy to Govt
Law Dept

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read -

Correspondence ending with letter No C.2.2077/38-39 dated 23rd April 1943 from the Deputy Commissioner Bangalore District recommending sanction to the rules framed under Section 46(h) and 62(a) of M.T.M. Act and the Bye-Laws framed under Section 48 of the same Act by the Magadi Town Municipal Council for the levy of Octroi Duty on certain articles in the said Municipality.

Order No. L 3293-4/ml 100-43-6

Dated, Bangalore the 16th Sept. 1943.

The bye-laws referred to above are sanctioned as appended to this order.

2. The Deputy Commissioner, Bangalore District is requested to instruct the Municipal Council to get them printed and to send six copies thereof to the General and Revenue Secretariat for reference and record.

for Secretary to Government,
Law Department.

To

The Deputy Commissioner, Bangalore District with records.
The Comptroller to the Government of Mysore.

G R S App F VI—G 2]

SUBJECT

abd

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 16/9 193

Signed by

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section ML

File No 186-43

Serial No 6

Proceedings of the ***Government*** *of His Highness the* ***Maharaja*** *of Mysore*

Read— Correspondence ending with letter no C2-2077/38-39 dated 23-4-43 from the D C Bangalore rural recommending sanction to the Rules framed under Section 46(h) and 62(a) of M T M Act and the Bye-laws framed under sec 48 of the same Act, by the Nagara Order thereon—No Town M C for the levy octroi duty on certain articles in the said Municipality order no L 3293-4

Sanctioned. The Bye-laws referred to above are sanctioned, as appended to this order.

2) The Dy Comr Bangalore Dist- is requested to instruct the Md Bs to get their Rules & Bye-laws printed and send Six copies of the same to the Govt & Rev Secy- for reference and record

From For Secretary to Govt-
Law Dept-

The D C Bangalore Dist- is requested to acknowledge the receipt of these records
The compliance to Govt-

List of Enclosure

Copied by

Examined by

WD 0523—GPB—22 500—22 3-37